

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

COMCAST OF ILLINOIS X,	)	8:03CV311
	)	
Plaintiff,	)	
	)	
v.	)	AMENDED ORDER
	)	
MULTI-VISION ELECTRONICS, INC.,	)	
and RONALD J. ABOUD,	)	
	)	
Defendants.	)	
	)	

This matter is before the court on defendant Ronald Abboud's motion to for relief from judgment under Fed. R. Civ. P. 60(b), Filing No. 201. This action is subject to the automatic stay provision of 11 U.S.C. § 362 with respect to defendant Abboud. See Filing Nos. 193, Suggestion of Bankruptcy; 198, Report and Recommendation; 199, Order Staying Proceedings. Defendant Abboud's bankruptcy case in the Southern District of Florida, case no. 07-15509, remains pending. The parties have not shown that the stay has been lifted. Any of the parties may apply to the bankruptcy court for relief from the stay pursuant to the provisions of 11 U.S.C. § 362(d), but "only the bankruptcy court may grant relief from the automatic stay." *Farley v. Henson*, 2 F.3d 273, 275 (8th Cir. 1993). Accordingly,

IT IS HEREBY ORDERED:

1. Defendant's motion to vacate (Filing No. 201) is stayed and held in abeyance until such time as the stay is terminated, expires, or is lifted.
2. The parties are directed to inform the court of relief from the stay, at which time the defendant may reassert the motion.
3. Any and all proceedings, including collection efforts, in this case are stayed during the pendency of the Bankruptcy case.

DATED this 3<sup>rd</sup> day of October, 2008.

BY THE COURT:

s/ Joseph F. Bataillon  
Chief U.S. District Court Judge